

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

KRISTOPHER DALLMANN,  
JARED EDWARD JAUREQUI

Defendants.

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CRIMINAL NO. 1:19-CR-253-TSE

**DEFENDANTS DALLMANN AND JAUREQUI**  
**MOTION FOR RECONSIDERATION**

COMES NOW the Defendants, Kristopher Dallmann and Jared Edwards Jaurequi, by and through counsel, and respectfully move this Honorable Court to reconsider the issuance of bench warrants. In support of this Motion, Mr. Dallmann and Mr. Jaurequi state the following:

Mr. Dallmann and Mr. Jaurequi acknowledge that they were not present for the court hearings scheduled for July 9, 2020; however, they respectfully submit their non-appearance was not committing willfully. The defendants had previously filed notices stating they intended voluntarily appear for the July 9 court hearings. The defendants and counsel had prepared for the hearings and filed a motion for defense witness testimony. Furthermore, Mr. Dallmann and Mr. Jaurequi have previously appeared in the District and for Court voluntarily. Moreover, even with the threat of potential incarceration, Mr. Jaurequi has voluntarily appeared for pretrial release violation hearings.

The circumstances surrounding the COVID-19 pandemic is unprecedented and not within Mr. Dallmann's and Mr. Jaurequi's control. The COVID-19 crisis has changed the world and every facet of society. We all have had to adapt and change how we interact with others to reduce the spread of the virus. According to the CDC and health experts' guidelines, it is not safe to congregate in large crowds and individuals must self-isolate if sick. Similarly, business

and public facilities have adopted health screening protocols to reduce everyone's exposure to COVID-19 while they operate safely. Mr. Dallmann and Mr. Jaurequi were scheduled to travel on July 8, 2020, American Airlines flight, #2257, leaving Las Vegas, Nevada and arriving at Washington/National DC in order to appear in Court for scheduled hearings on July 9, 2020. American Airlines American Airlines requires passengers to submit to health screening questions before they issue boarding passes. After Mr. Dallmann and Mr. Jaurequi disclosed they had a recent COVID-19 test on July 1, however, the results were still pending, the airline refused to honor the ticket and prohibited them from boarding the flight.

The delay in COVID-19 test results is not unique to this case. It has been widely reported that the delay in testing results are a contributing factor to the increase of coronavirus cases. Some people have waited up to 14 days to receive test results. Mr. Dallmann and Mr. Jaurequi were tested in the evening hours of July 1, only 6 days before their flight. The doctor advised them to self-quarantine until they received a negative COVID-19 result and not travel during self-quarantine. (Dkt. # 339, 354). Despite such medical advice, Mr. Dallmann and Mr. Jaurequi packed their bags and attempted to fly to the District for the July 9 hearings.

Notwithstanding the pending test results, Mr. Dallmann was experiencing and had recently received medical attention for shortness of breath, a potentially COVID-19 symptom. As of June 30, 2020, American Airlines inquires whether travelers have experienced COVID-19 symptoms or have been exposed to someone within the preceding 14 days.<sup>1</sup> Therefore, Mr. Dallmann and Mr. Jaurequi would not have passed the health screening and would not be allowed to fly.

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<sup>1</sup> <https://www.aa.com/i18n/travel-info/coronavirus-updates.jsp> (last visited July 18, 2020)

Similarly, Mr. Dallmann is not in control over his illness and symptoms. Mr. Dallmann is severely immunocompromised. His health began deteriorating in February 2020 and he began seeking medical treatment in early March. Over the last few months, Mr. Dallmann has experienced excessive cough, shortness of breath chest pains, fever, extreme fatigue and nausea/vomiting, diarrhea. Additionally, he had a pneumonia respiratory infection. Given the state of Mr. Dallmann's health, it is reasonable to expect that Mr. Dallmann will continue to suffer from symptoms.

Undersigned counsel understands that the United States Marshals Service served the bench warrants on Mr. Dallmann and Mr. Jaurequi on July 16, 2020. They are being held in detention in Las Vegas. This Court continued the hearings in his matter to September 17, 2020. Given the reasons stated in Court and in the motion, the defendants would respectfully request the Court reconsider the bench warrants and instead issue summons for the September court appearance. Mr. Dallmann and Mr. Jaurequi submit they will voluntarily appear in Court.

WHEREFORE, the defendants, through counsel, respectfully request this Honorable Court to reconsider the issuance of the bench warrant.

Respectfully Submitted,  
Kristopher Dallmann  
By Counsel

/s/

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Vernida R. Chaney  
Chaney Law Firm PLLC  
4120 Leonard Drive  
Fairfax, VA 22030  
Tel: 703-879-6650  
Fax: 703-776-9008  
vchaney@chaneylawfirm.com

Respectfully Submitted,  
Jared Edwards Jaurequi  
By Counsel

/s/

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John O. Iweanoge II  
THE IWEANOGES' FIRM, PC  
Iweanoge Law Center  
1026 Monroe Street, NE  
Washington, DC 20017  
Tel: (202) 347- 7026  
Fax:(202) 347- 7108  
Email: joi@iweanogesfirm.com

**CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2020, I will file the foregoing pleading with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties.

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/s/

Vernida R. Chaney  
Chaney Law Firm PLLC  
4120 Leonard Drive  
Fairfax, VA 22030  
Tel. 703-879-6650  
Fax 703-776-9008  
vchaney@chaneylawfirm.com